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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 5, 2008

Subject: **FBI AND CIVIL RIGHTS SEPTEMBER 1955**

FOIPA No. **1107341- 000**

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

**Section 552**

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\_\_\_\_\_  
 (b)(4)  
 (b)(5)  
 (b)(6)

**Section 552a**

(b)(7)(A)  
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**61 pages** were reviewed and **61 pages** are being released.

Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

referred to the OGA for review and direct response to you.

referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

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The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosures

The enclosed documents were processed in response to your FOIPA request to FBI Headquarters (FBIHQ), and were contained in FBIHQ file **105-340953**.

## EXPLANATION OF EXEMPTIONS

### **SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
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- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could be reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could be reasonably expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

### **SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a**

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

# THE FBI AND CIVIL RIGHTS

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
John Edgar Hoover, Director

(L) THE FBI AND CIVIL RIGHTS - CENTRAL RESEARCH MATTER -- The captioned monograph has been prepared for the use of all Special Agents and should be added to your field office library and afforded the usual security precautions.

Ten copies are being furnished under separate cover to the Albany, Baltimore, Boston, Buffalo, Chicago, Cincinnati, Cleveland, Denver, Detroit, Los Angeles, Minneapolis, Newark, New Haven, Philadelphia, Pittsburgh, San Francisco, Seattle and Washington Field Offices. Twenty copies are being furnished to the New York Office, and three copies to each of the other offices.

9/7/55  
SAC LETTER NO. 55-57

**THE FBI AND CIVIL RIGHTS**

**(Not for Dissemination Outside the Bureau)**

**September 1955**

Central Research Section

7628

**Federal Bureau of Investigation  
United States Department of Justice  
John Edgar Hoover, Director**

**55.00 72**

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## PREFACE

The purpose of this monograph is to give an up-to-date account of the FBI's work and contributions in the civil rights field. It is intended primarily as an aid to Agents who interview potential security informants, so that they may impress upon the individual being interviewed the jurisdiction and accomplishments of the FBI in civil rights cases.

Included are summaries of the facts of recent cases which resulted in twenty-one convictions. Due to the vastness of the subject, the cases discussed are limited to those coming under the classification of Civil Rights. (Others not used, but which could be included in the general field of civil rights, are the classifications of Election Laws and Involuntary Servitude and Slavery.)

Also summarized are the aims and activities of certain native fascist groups which have presented threats to civil liberties, and, following FBI investigations, have been designated by the Attorney General of the United States pursuant to Executive Order 10450.

This monograph is compiled from both public and confidential sources and should not be disseminated outside the Bureau. This does not preclude the paraphrasing of the material by Agents in the field during interviews with potential security informants.

It is to be understood fully that the material in this monograph is informational in nature, and is so compiled as to meet the specific requests of field office Agents on this subject. It is not to be misconstrued at any time as being procedural or instructional in nature, as are the Bureau manuals. Where knowledge of procedure, policy, et cetera, is required, the pertinent sections on civil rights in the manuals should be consulted.

## SUMMARY AND CONCLUSIONS

### A. Summary

Although there has been much publicity in recent years on the subject of civil rights and their significance as a fundamental characteristic of American freedom, there are many misconceptions in the minds of the general public as to how these rights are safeguarded, and the type of protection the Federal Government is able to give under the Constitution and existing Federal laws.

The FBI, as the investigative arm of the Department of Justice, is strictly a service agency and its role is to gather evidence and get the facts. Congress enacts all the Federal laws regarding civil rights, and the Department of Justice handles the prosecution of violations.

Civil rights investigations are considered by the FBI to be of major importance, and investigative accomplishments include both criminal cases involving individuals, and cases of organizations which have presented threats to civil liberties. Special difficulties are encountered in civil rights cases due to the attitudes of local communities, such as prejudices against racial and minority groups. Nevertheless, the FBI has always made a prompt and thorough investigation of every reported allegation of a violation.

In addition, the FBI has contributed educational services in its police training schools and scientific aids through the facilities of its laboratory.

**B. Conclusions**

1. In order to defend and preserve their civil liberties, the general public needs to be better acquainted with facts about the Federal Government's type of jurisdiction over civil rights, and to understand just which rights are protected under the United States Constitution and Federal statutes.
2. In order to comprehend the role of the FBI in the civil rights field, there should be an understanding of the reasons for the separation of the Federal Government into legislative, executive and judicial branches--a separation under which Congress enacts the laws, the FBI investigates alleged violations of those laws specifically assigned to its jurisdiction, the Department of Justice conducts prosecutions and the courts handle adjudications of violations.
3. There are unusual difficulties encountered in the attempt to uphold civil rights laws which come under Federal jurisdiction, both during the FBI's investigations and the Department of Justice's prosecutive actions, due to the prejudicial attitudes of local communities.
4. In its field of investigation, plus educational and scientific services offered as aids to local and state law enforcement agencies, the FBI is making all contributions possible under existing laws to the protection of civil rights.

5. Whenever any person or group is dissatisfied with the jurisdiction of the Federal Government in matters of civil rights, their recourse is to Congress, as only the legislative branch of Government can change existing laws or enact new ones.

## I. BACKGROUND

### A. Significance of Civil Rights

The right of Americans to life, liberty and the pursuit of happiness is made possible through the exercise of constitutionally guaranteed freedom. This freedom gives us an individual worth, an integrity and a dignity that is denied millions of people throughout the world. The historic goal of the United States Government is the protection of the welfare of the individual, whereas the opposite is true in the totalitarian state, where the individual exists only to serve the state.

### B. Definition

The very essence of our freedom is in the civil liberties or civil rights of the people. Civil rights may be defined as: "Rights granted by a state equally to all its citizens or inhabitants. In democracies these rights are considered as protecting a person from the state as well as from other individuals. In the United States the connotation of this term has come to be the equal treatment of all persons regarding the enjoyment of life, liberty, and property, and the protection of the laws." 1

### C. Federal Jurisdiction

Everyone is familiar with civil liberties as set out in the first ten amendments to the United States Constitution, generally referred to as the "Bill of Rights"--freedom of speech, freedom of the press, freedom of assembly, freedom of religion and others. Also, every school child has been taught that our Constitution provides for a separation of the executive, legislative and judicial branches of government as a system of checks and balances. According to Supreme Court Justice William O. Douglas: "A clear-cut separation of these functions of government is one of the surest guarantees that the civil liberties of the people will be honored."<sup>2</sup> However, the general public has many misconceptions as to the extent of the Federal Government's jurisdiction over civil rights. The rights which the Federal Government has the power to protect are only those stated in the Constitution and those covered by specific Federal statutes. Jurisdiction under the Constitution is very limited as it deals primarily with guarding the rights of the people against encroachment by the Federal and state governments. These rights are the ones that concern the FBI as a national law enforcement agency.

## II. STATUTES

### A. Constitutional Basis

There are two main statutes under which civil rights are protected in Federal law--Sections 241 and 242 of Title 18, United States Code. These sections are based on statutes originally passed during the Reconstruction Period to back up certain clauses in the Constitution quoted here.

Amendment IV. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Amendment XIII. "Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Amendment XIV. "Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Amendment XV. "Section 1. The right of citizens of the United States to vote shall not be denied or abridged by

the United States or by any State on account of race, color, or previous condition of servitude."

There is also a group of so-called implied civil rights which are subject to protection under the Federal statutes. The Supreme Court has said that where protection of a particular right is necessary for the effective and successful operation of our federal system of government, these rights will be protected by the Federal Government (such as the right to inform of a Federal offense, the right to be free from mob violence while in Federal custody, the right of free access to Federal courts, et cetera).

#### **B. Federal Statutes**

Section 241, Title 18, U. S. C. states:

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

"If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured--

"They shall be fined not more than \$5, 000 or imprisoned not more than ten years, or both."

This is a conspiracy statute in which the following factors are necessary before a violation is possible: (1) there must be two or more persons involved, (2) the victim must be a citizen of the United States, and (3) the right involved must be one of a very limited number of rights guaranteed by the Constitution. The rights secured by the first ten amendments to the Constitution are not included, since, as shown by their wording, they are safeguards only against encroachment by government.

**Section 242, Title 18, U.S.C. states:**

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

This section is much broader in scope, in that it protects practically all constitutional rights against infringement by the states as well as the Federal Government, and covers all inhabitants rather than just citizens. The following factors must be present to constitute a

violation: (1) the violator must be acting under color of law, and (2) it must be proved that the violator acted willfully to deprive the victim of his rights.

Most of the civil rights violations which come under the investigative jurisdiction of the FBI are covered by these two statutes. However, some of the other pertinent laws under which cases occasionally arise are being listed here for reference.

- (1) Section 243, Title 18, U. S. C. - Exclusion of jurors on account of race or color.
- (2) Section 244, Title 18 - Discrimination against person wearing uniform of the armed forces of the United States.
- (3) Section 1581, Title 18 - Peonage.
- (4) Section 1583, Title 18 - Enticement into slavery.
- (5) Section 1584, Title 18 - Sale into involuntary servitude.
- (6) Sections 591 through 612, Title 18 - Elections and political activities.

Although the Federal civil rights statutes are limited in scope, they have been clarified from time to time by judicial interpretation, and in this way their use has been increased as a safeguard to civil liberties.

Violations of civil rights usually involve incidents which are also violations of local or state statutes, such as laws governing murder, assault, fraud and similar crimes. Although the local authorities often fail to take effective action, the Federal Government has the power to act when there is a violation of the Federal civil rights statutes.

### III. FBI HANDLING

#### A. Origin

Pursuant to an Act of Congress, the FBI, as the investigative arm of the Department of Justice, is assigned the task of investigating reports or indications of alleged violations of the Federal civil rights laws. Civil rights cases are of major importance, and in no category of cases handled by the FBI is more strenuous effort exerted to insure justice. Every reported allegation of a violation is promptly and thoroughly investigated. Since 1939, these cases have been afforded even more vigorous attention, due to the establishment of special sections to handle civil rights matters in the FBI and the Department of Justice, and since that year, the number of cases handled and convictions recorded has steadily increased.

#### B. Bureau a Fact-Finding Agency

The FBI has always used as many men with as much equipment as necessary to conduct a complete, impartial and expeditious investigation, and no limitation has been made on the time spent or expense involved. It must be stressed in this connection that the role of the FBI is solely investigative, and its duty is to ascertain all the facts and details promptly and without bias.

The facts developed by the FBI investigation are presented to the appropriate Department of Justice representative who decides whether or not prosecution is warranted. It cannot be emphasized too strongly that the FBI is strictly a service agency--a body of fact-finding, professional investigators, whose function is not to draw conclusions or recommend policies, but to get the facts.

#### IV. INVESTIGATIVE ACCOMPLISHMENTS OF THE FBI

##### A. Criminal Cases

One of the best safeguards for civil liberties is an alert, intelligent and honest law enforcement agency, which views the protection of such liberties as one of its basic functions. Regardless of the position or station in life occupied by individuals responsible for civil rights violations, the FBI conducts the same thorough and impartial investigation. This is just as true when the violation involves a local or state law enforcement officer. In an article addressed to all law enforcement officials, Director J. Edgar Hoover stated: "One of the quickest ways for any law enforcement officer to bring public disrepute upon himself, his organization and the entire profession is to be found guilty of a violation of civil rights."<sup>3</sup>

Although the FBI receives many unfounded complaints through the public's misconception of what constitutes a violation of civil rights under existing Federal laws, there are also many complaints which are justified. The facts of some of the more recent cases are being set out here.

###### 1. City Marshal's Brutality to Prisoner

The victim, [redacted] a Negro who lived near Taylorsville, Mississippi, advised the FBI that on the evening of December 22, 1951,

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he was arrested by the city marshal, [redacted] on an old "charge" of driving without a license and under the influence of intoxicants. He said that while in the marshal's custody on the way to jail, [redacted] shot him in the leg and beat him over the head with a pistol, after which he was placed in the Taylorsville City Jail for approximately eight hours without any medical attention.

The FBI immediately began a thorough investigation to ascertain the facts. Several witnesses to the arrest said that the victim offered no resistance except to question the marshal as to why he was being arrested. On interviewing other witnesses, it was disclosed that on the morning after the victim was placed in jail, a constable noticed that [redacted] needed medical attention, and phoned the mayor of the town. According to the mayor's statement, he immediately contacted [redacted] and instructed him to take [redacted] to a doctor for treatment, which [redacted] then did. The doctor's report showed that when [redacted] was brought to him the leg wound was at least seven or eight hours old.

A Special Agent of the FBI testified concerning the facts in this matter before a Federal Grand Jury at Meridian, Mississippi, and the marshal was indicted for violation of Section 242, Title 18, U. S. C.--for willfully

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depriving the victim of his rights and privileges under the Fourteenth Amendment of the Constitution.

The case came up on December 14, 1953, at which time [redacted]  
entered a nolo contendere plea over the Government's objection. [redacted]  
was sentenced by the Federal District Court Judge at Jackson, Mississippi,  
to serve twelve months in the custody of the Attorney General and to pay a  
fine of \$500. However, this sentence was suspended and he was placed on  
probation for fifteen months.

In connection with this trial an editorial appeared in The Commercial Appeal, Memphis, Tennessee, on December 16, 1953, which stated:

"The conviction of a Mississippi town marshal who pistol-whipped a prisoner symbolizes the tremendous change which has occurred in the public's attitude toward those who abuse law enforcement power...."

• • • • •  
"The day when peace officers could put their chief dependence on brutality and get away with it is gone, and the profession of law enforcement is the better for it."

## 2. Arrest and Beating of Air Force Captain

The victim in this case was a United States Air Force Captain, [redacted] who was stationed at Fort Worth, Texas. According to

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a complaint made by [redacted] on the afternoon of July 27, 1953, he parked his car off the road in a remote section of the small town of White Settlement, Texas, and took a nap on the front seat of the car. About 5:30 p. m. he was awakened by a police officer striking him on the ear. As he tried to get up, the officer struck him repeatedly about the face and head, although he offered no resistance. Then the officer, [redacted] took him to the city jail where he was booked as being drunk. At this time, his request to make a telephone call was refused, and he was placed in a cell. At about 10:00 p. m. he was finally allowed to place a call to his uncle. When his uncle and wife arrived shortly afterwards, he was permitted to post a \$50 bond and was released.

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An investigation by the FBI disclosed several witnesses who had seen [redacted] on the afternoon of his arrest and who stated that he was not drunk at that time. Also, the only disinterested witness to the actual arrest corroborated the victim's statement that, although he offered no resistance, he was repeatedly beaten by the police officer. FBI Agents interviewed two persons who were present in the police station when [redacted] was brought in to be booked. Both stated that he was refused permission to use the telephone and verified the fact that there was blood on his face and clothes when he was brought in by [redacted]

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Upon his release from jail, [redacted] wife took him to a hospital in Fort Worth, where the doctor's report showed injury to his ear and lacerations about his face.

The facts gathered in this case were presented to a Federal Grand Jury at Amarillo, Texas, on November 4, 1953. [redacted] was indicted for violation of Section 242, Title 18, U. S. C. in that he, acting under color of law, willfully subjected [redacted] to deprivation of rights and privileges secured to him by the Fourteenth Amendment of the Constitution.

[redacted] entered a plea of not guilty. At the trial held on March 2, 1954, he was found guilty by the jury and sentenced to six months' imprisonment and fined \$500.

According to the office of the United States Attorney, there was no record of any previous conviction in a case of this type in the Northern District of Texas, and the facts of the case were widely publicized in the newspapers.

### 3. Beating of Woman Prisoner by Texas Jailer

A complaint was received from the chief of police, Aransas Pass, Texas, to the effect that a woman prisoner in the San Patricio County Jail was beaten by the jailer, [redacted] on August 11, 1953.

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The facts as developed by an FBI investigation showed that the prisoner, [redacted] was arrested with two other women in the Mexican section of Sinton, Texas, on a charge of drunkenness. In an interview with FBI Agents, the victim admitted making considerable noise by loud talking and laughing after being placed in jail. She said that because of this, the jailer took her out of the cell into the hallway and beat her with a leather belt.

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On August 12, 1953, [redacted] pleaded guilty to the charges of drunkenness and disturbing the peace. She was fined \$35 and released. A few days later she was examined by a doctor, and the examination disclosed that she had multiple bruises on her body.

[redacted] admitted the beating, but tried to justify it by stating that when he went upstairs in the jail to try to quiet the victim, she made a loud commotion, shouting abusive language and fighting him.

All possible witnesses were interviewed. Two persons actually saw the beating, and numerous others had heard a woman's screams combined with what they described as the sound of someone being hit with a strap.

The Criminal Division of the Department of Justice believed that, regardless of the prisoner's behavior, [redacted] conduct could not be

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condoned and the local United States Attorney was requested to present the case to the Federal Grand Jury.

An Agent of the FBI testified to the facts disclosed by the investigation before a Federal Grand Jury at Corpus Christi, Texas, on November 3, 1953, and [redacted] was indicted for violation of Section 242, Title 18, U. S. C.

The trial on January 14, 1954, before the United States District Court Judge at Corpus Christi, resulted in [redacted] being found guilty as charged and fined \$100.

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#### 4. Unlawful Treatment During Arrest

The victim in this case, [redacted] was associated with the Bahakel Produce Company in Birmingham, Alabama. At the time of the incident described below, he and his brother-in-law were driving in one truck with another company truck following them.

According to [redacted] complaint to the FBI, he was driving along the highway south of Perry, Florida, in the early afternoon of March 15, 1953, when a car forced him to pull over to the side of the road and stop. A man dressed in boots and rough clothes got out of the car and demanded to see [redacted] driver's license. When [redacted] asked this individual to identify himself, the stranger took a pistol and flashlight out of his car, threatened

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[redacted] with the pistol and hit him in the face with the flashlight. Then [redacted] was ordered to get into the stranger's car and was taken to the county jail at Perry, Florida. Here, [redacted] ascertained for the first time that he was in the custody of [redacted] a deputy sheriff of Taylor County, Florida. After some discussion at the county jail, [redacted] allowed [redacted] to post a \$25 bond and released him. Witnesses to the arrest were the victim's brother-in-law and the driver of the second truck, who had pulled off the road behind [redacted]

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When the FBI investigated this incident, [redacted] admitted that he was wearing his badge on his shirt under a jacket, but said that he identified himself to [redacted] as an officer. He also stated that when he attempted to place the victim under arrest for speeding, [redacted] raised his arms as if to resist, at which time he struck [redacted] with the flashlight.

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[redacted] alleged that he was not driving over the speed limit, as his truck was not capable of going over fifty miles per hour. To verify this fact, he produced a copy of a statement to this effect by a company which had made a road test of the truck a day or two after his arrest.

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The facts of this case were presented to a Federal Grand Jury at Tallahassee, Florida, on September 11, 1953, and [redacted] was indicted

on one count charging violation of Section 242, Title 18, U. S. C. He entered a plea of not guilty; however, at the trial held on December 8, 1953, a jury found him guilty and he was sentenced to serve one year in custody of the Attorney General and fined \$500. Sentence was "deferred" and [redacted] was placed on probation for one year, subject to the condition that he pay the fine within the probationary period.

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##### 5. Police Chief's Interference with Freedom of the Press

On July 28, 1953, [redacted] chief of [redacted] Kentucky, Police Department, was indicted by a Federal Grand Jury for the Eastern District of Kentucky on its own initiative. The charge was that [redacted] had violated the civil rights of [redacted] a newspaper staff photographer, while [redacted] was covering an assignment to take pictures of a police raid made on an alleged gambling establishment [redacted]

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Extensive FBI investigation revealed the following facts. A detective of the [redacted] Police Department, together with sixteen men especially deputized for the purpose, raided the Glenn Schmidt Playtorium [redacted] [redacted] on the evening of July 1, 1953. Arrangements had been made with the Louisville Courier-Journal for one staff writer and one photographer [redacted] to give news coverage to the raid. After the owner of the Playtorium

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had been served with a search warrant, the deputies located gambling equipment in the basement. During this time, [ ] took a number of pictures of the officers in action, and there were no objections voiced. Then the owner of the establishment was pointed out to [ ] who snapped a picture of him while he was talking to another individual. This individual challenged [ ] right to take his picture, stating that he was chief of police and "boss" in the town, and that he would say when [ ] could take pictures. The chief of police, [ ] then placed [ ] under arrest for breach of the peace and trespassing. At the same time his camera was taken from him and all the film exposed.

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[ ] was taken to the [ ] Police Station and held in police custody because he was unable to furnish bond in the amount of \$1,000. A few hours later he was taken before a judge and released on his own recognizance. The charges against him of breach of peace and trespassing were dismissed at a trial on July 8, 1953.

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Numerous witnesses to the raid and to [ ] arrest were interviewed by the FBI at the request of the Department of Justice. On September 28, 1953, the original indictment against [ ] was dismissed, and he was reindicted the next day on the same facts but with the wording of

the indictment changed. The charge was that [redacted] had caused the victim to be illegally arrested and confined to jail, thereby depriving him of his right of freedom of the press as guaranteed in the Constitution.

At the trial in the United States District Court, Covington, Kentucky, on March 11, 1954, [redacted] was found guilty and sentenced to pay the maximum fine of \$1,000.

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#### **6. Mob Violence and Labor Unions**

The victims in this case were six brothers who were co-owners of the Preskitt Brothers Coal Mine, located in Walker County, Alabama, and six employees, three of whom were members of the [redacted] family.

The names of the brothers and employees are as follows: [redacted]

[redacted]

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The thirteen subjects convicted were: [redacted]

[redacted]

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Two of the [redacted] brothers reported an alleged violation of their civil rights to the FBI on September 28, 1949, and a preliminary investigation was immediately instituted. On the basis of the facts gathered, the Criminal Division of the Department of Justice felt that a full investigation was warranted, and so instructed the FBI on December 23, 1949.

The alleged violation concerned acts of violence against the owners and employees of the Preskitt Coal Mine. In the Fall of 1949, during a period when the union-operated mines in that vicinity were on a three-day work week, the Preskitt Mine was visited by union representatives who attempted to persuade the [redacted] to abide by the work week designated by the union. [redacted] informed the representatives that they intended to keep operating on a full work week. At this time, the sheriff of Walker County, who had come along with the union representatives, advised the [redacted] to cooperate with the union, and stated that he could not protect them if they refused.

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When interviewed by FBI Agents, all the employees of the Preskitt Mine advised that they had no desire to join the union and were satisfied with their work and wages.

On the day following the visit of union representatives, several shots were fired into the cabs of trucks loaded with coal from the Preskitt Mine. The aid of the sheriff was sought several times without results. At about 12:45 p. m., a large group of armed individuals approached the mine, and a gun battle ensued between them and the owners and employees of the mine. The battle lasted approximately one and one-half hours, and a local newspaper reported that there were more than one thousand shots fired. One member of the raiding party was shot and later died from his wounds.

Much local publicity was given to this gun battle, and some of the articles and editorials were particularly critical of the Walker County sheriff, alleging that he failed to attempt to uphold the law and protect the victims from violence. As a consequence of this violence, the [redacted] brothers ceased their mining operations.

The matter was brought before a Federal Grand Jury at Birmingham, Alabama, on March 20, 1950, and witnesses testified in accordance with information and statements given to the FBI during the extensive investigation. Twenty-three persons, including the sheriff, were listed in the indictment. They were charged with violation of Section 241, Title 18, U. S. C. (the civil

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rights conspiracy statute) and of Sections 157 and 158, Title 29, U.S.C. (laws concerning the rights of employees to organize or refrain from organizing for the purpose of collective bargaining).

The twenty-three defendants entered pleas of not guilty on December 19, 1950. The trial was still pending, when on February 12, 1954, thirteen of the defendants withdrew their former pleas and entered guilty pleas. The Federal Judge for the Northern District of Alabama, at Birmingham, imposed a fine of \$275 on each at this time. On the same day, orders of nolle prosequi were filed against the other ten defendants (including the sheriff). No efforts toward local or state prosecution had been made concerning these acts of violence.

#### 7. Illegal Punishment Inflicted by Alabama Officers

During mid-September 1954, some newspaper articles which came to the attention of the FBI's Birmingham Office indicated that a possible civil rights violation had occurred in the town of Muscle Shoals, Alabama. According to these articles, three police officers of Muscle Shoals, [redacted]

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[redacted] had arrested [redacted]

[redacted] on a drunk charge as he was leaving a beer tavern at about midnight on September 4. [redacted] a diabetic, had taken a few drinks at the tavern, but was not reported to have been disorderly. The articles further indicated that [redacted] was beaten by one or more of the officers while in their custody on the way to jail. On being released the next day, [redacted] was taken to a hospital with broken jaws and bruises and lacerations inside his mouth, the latter apparently having been caused by his false upper dentures being broken and knocked out.

On September 30, 1954, the Department of Justice requested the FBI to make a complete investigation of the allegations. When interviewed by FBI Agents, [redacted] advised that one of the officers struck him with his fist, without provocation, while en route to the jail. He only remembered being hit once, as this blow knocked him unconscious. After his release on bond the next day, he went to a hospital where his broken jaws were treated. On September 15, he was rehospitalized, receiving treatment for diabetes and undergoing surgery for wiring of the broken jaws.

There were no witnesses to the actual beating, but other persons in jail at the time related in signed statements to the FBI that [redacted] appeared

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hurt when he arrived at the jail cell. The owner of the tavern stated that [redacted] was not hurt at the time he was in that establishment. The three police officers, however, denied striking the victim and disclaimed any knowledge of his being hurt.

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On September 10, 1954, Mr. Murray Beasley, as attorney for [redacted] filed a civil suit against the police officers claiming \$50,000 in damages. The case was settled out of court on October 26 for \$750, which covered [redacted] doctor and hospital bills, and this sum was paid by the city of Muscle Shoals. Then, during the November 1954 term, the Colbert County Grand Jury indicted [redacted] for assault and battery as a result of [redacted] injuries. When the cases came up for trial, [redacted] acknowledged his guilt and was fined \$25. The charge against [redacted] was nol-prossed.

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As a result of the FBI's investigation, the facts were presented to a Federal Grand Jury at Birmingham, Alabama, on February 14, 1955.

[redacted] were indicted on charges of inflicting illegal and summary punishment on [redacted] in violation of Section 242, Title 18, U. S. C. All three defendants withdrew their previously entered pleas of not guilty and entered guilty pleas at the time the case was called for trial in April, 1955. The United States District Judge for the Northern District

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of Alabama fined each officer \$250. In addition, he sentenced each to six months in the custody of the Attorney General, which sentence was suspended.

**B. Native Fascist Groups**

The responsibilities of the FBI in connection with civil rights matters are not confined to individuals or to criminal cases alone. Threats to civil liberties come also from organized groups of varied types which: (1) adopt a policy of advocating or approving acts of force and violence in order to deny others their constitutional rights, (2) seek to alter the form of our federal system of government by unconstitutional means, or (3) advocate action against racial, religious or other minority groups by illegal methods.<sup>4</sup> Often these groups assert patriotic intentions, but their chief aims and activities tend to destroy the very liberties which they claim to uphold. Their pattern of behavior is frequently fascistic, hence the caption, "Native Fascist Groups."

Following FBI investigations in this field, many native fascist organizations have been designated by the Attorney General of the United States pursuant to Executive Order 10450. In some cases, members of these organizations have been prosecuted successfully by the Department of Justice as a result of evidence developed by the FBI.

The following pages contain short summaries of some of these groups which have been active in the past, showing their purposes, aims and activities. All have been designated by the Attorney General of the United States pursuant to Executive Order 10450.

1. American Patriots, Inc.

The American Patriots, Inc., was organized in 1936 with headquarters in Connecticut. This organization has claimed to have for its over-all purpose the organizing of native-born Americans into one group to look out for their mutual interests in opposing the strong, aggressive minority groups of foreign nationalities. According to its literature, the main objectives have been: (1) to form an organized majority of native Americans as an opposition to organized minorities inimical to the general welfare, (2) to combat Communism, (3) to bring about deportation of foreigners engaged in subversive activities or who are a burden to the Government, (4) to place native-born Americans in jobs held by foreigners, and (5) to unite native-born Americans to defend their homes, property, et cetera, from destruction and sabotage by rioters or Reds, alien or native.

To advance its aims, the group put out a monthly publication called American Patriot, which contained propaganda against minority groups.

Under the leadership of the national commander, Allen Zoll, this organization became notorious for its anti-Semitic, anti-Communist and pro-totalitarian activities.

## 2. Ku Klux Klan

Much publicity has been given to the Ku Klux Klan in connection with incidents involving alleged violations of civil rights. The Ku Klux Klan was first organized in 1865 in Pulaski, Tennessee, and spread throughout the South during the period immediately following the Civil War. Since that time it has been active periodically. There have been a number of different factions of the Klan, such as the Associated Klans of America, Association of Georgia Klans and Original Southern Klans.

In early 1946, Klan organizations became active in several states, principally Georgia, Florida, Tennessee and California. The most important group was known as the Association of Georgia Klans, [redacted]

[redacted] This activity resulted in several states taking action to revoke the charters of the Klan groups.

The aims of all the Klan factions have been very similar: to maintain white supremacy and to advance anti-Negro, anti-Catholic and

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anti-Semitic doctrines. The general pattern followed to attain these aims has had violence and intimidation as its keynote. The principal activities of the Klan have consisted of conveying either direct or implied threats to its victims. Some of the means used to threaten victims have been burning crosses, parades and demonstrations. As an example, cross burnings and demonstrations have often taken place just before an election day in order to intimidate the Negroes in the community and keep them away from the polls. On occasions, these activities have resulted in allegations of violations of civil rights.

a. Cases of Klan Floggings in North and South Carolina

A recent case involving violence by a Klan organization was the kidnaping and flogging of two victims by members of the Fair Bluff Klavern in North Carolina. On October 6, 1951, a group of Klansmen and a prospective member, organized and instructed by [redacted] [redacted] of the Fair Bluff Klavern, met for the purpose of abducting and flogging [redacted] These two victims, according to [redacted] were living together as man and wife, were constantly drunk and did no work.

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Around 11:00 p. m., the Klansmen met in an alley in Fair Bluff and departed in two cars toward the residence of [REDACTED] grandmother with whom she lived and at whose home [REDACTED] was a boarder. On arrival at the house at approximately 11:45 p. m., two of the men, [REDACTED] entered and took [REDACTED] [REDACTED] to the waiting cars. Then, after blindfolding the victims, the cars proceeded across the state line to a deserted lane in the Causey Section of Horry County, South Carolina. After a short prayer by one of the Klansmen, [REDACTED] was pulled up on the left front fender of one of the cars and lashed unmercifully with a heavy machine belt strap. [REDACTED] [REDACTED] who had been released from a hospital only a short time before and was still weak from illness, was held while five or six lashes were administered. Then she was asked if she recognized any of the group, and when she replied that there were some people from Causey, she was again lashed so that each blow knocked her to her knees. The victims were then returned to the Causey Road and released. Both were badly bruised and [REDACTED] was permanently scarred by the floggings.

Following this episode, violence spread throughout Columbus County, North Carolina, and a number of floggings by robed and hooded men

were reported. There was much Klan activity in the way of meetings and rituals, and fear spread until most people were afraid to venture out unarmed after dark.

It was into this tense atmosphere that the FBI came to investigate the floggings of [redacted] Some of the local inhabitants were sympathetic with or friends of Klan members. Others were afraid to give information. Although [redacted] and some of his associates worked hard to persuade Klansmen not to talk to FBI Agents, persons were located who possessed information, and several participants in the floggings confessed. To prevent Klan members from knowing which individuals were being concentrated upon, the Agents also interviewed numerous other persons in the area. When sufficient evidence had been obtained, the investigating Agents left Fair Bluff for several days, and the Klansmen rejoiced in their mistaken belief that the FBI had abandoned the case.

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The next the community saw of the FBI was at 7:00 a. m. on February 16, 1952, when the Klansmen involved in the floggings were simultaneously arrested by Bureau Agents. Following their arrest and release on \$5,000 bond each, [redacted] attempted to determine the

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identities of persons who had confessed, and threatened violence to those he suspected.

The ten subjects in this case were indicted on two counts by a Federal Grand Jury at Raleigh, North Carolina, on February 28, 1952. The indictment was based on the kidnaping and flogging of [redacted]

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[redacted] count one charging violation of the Federal Kidnaping Statute, \* and count two charging violation of the General Conspiracy Statute to violate the Kidnaping Statute.

All defendants waived jury trial, and evidence was presented before the Federal Judge at Wilmington, North Carolina, on May 12, 1952.

On May 13, 1952, the following defendants received sentences: [redacted]

[redacted] five years on two counts to run concurrently and to begin at the expiration of a two-year state sentence; [redacted]

[redacted] twelve months on two counts, suspended, three years' probation;

[redacted] two years on two counts, suspended, two years' probation; [redacted]

[redacted] three years on two counts to run concurrently; and [redacted] two years on two counts to run concurrently.

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\*In this case, the transporting of the victims across a state line constituted a violation of the Federal Kidnaping Statute.

On October 13, 1952, the United States Fourth Circuit Court of Appeals at Richmond, Virginia, upheld the convictions and sentences of seven of the defendants who had filed appeals. In November 1952, the United States District Court Judge amended the judgment against [redacted] [redacted] reducing his sentence on each count from two years to one year. At the same time, the judge reduced the sentence of [redacted] to four years on both counts.

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Two other cases involving twenty-eight more convictions resulted from reports of floggings during this same period. The victim of one case was [redacted] a resident of South Carolina, who lived near the highway between Nichols, South Carolina, and Fair Bluff, North Carolina.

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At a meeting of the Fair Bluff Klavern of the Ku Klux Klan in October 1951, [redacted] brother-in-law alleged that he had been beating his wife and associating with another woman, and the flogging of [redacted] was discussed. On October 20, 1951, [redacted] instructed various members of the Klavern to meet in a field in North Carolina near the North Carolina-South Carolina state line. Klansmen from the Mullins (South Carolina) Klavern, who were unknown to the victim, were used to

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handle the abduction of [redacted] After one of the Klansmen had lured [redacted] from his residence by claiming motor trouble with his truck, he was seized, blindfolded, and taken to a wooded area near Fair Bluff, North Carolina. Meanwhile, members of the Fair Bluff Klavern had proceeded to the flogging site in their white robes and hoods. [redacted] arms were held around the trunk of a pine tree while he was lashed fifteen to twenty times. When the Klansmen released him near his home, they warned [redacted] not to mention the flogging to anyone.

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The investigation was a difficult one, but the investigating Agents succeeded in securing evidence which resulted in confessions of guilt by some of the participants. At 7:00 a. m. on January 19, 1953, fourteen Klansmen were arrested simultaneously by Bureau Agents. The other five participants were already in Federal custody, having been tried and convicted for the October 6, 1951, kidnaping and flogging of [redacted]

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All nineteen subjects were indicted on two counts by a Federal Grand Jury at Raleigh, North Carolina, on January 19, 1953, for violation of the Federal Kidnaping Statute\* and violation of the General Conspiracy Statute to violate the Kidnaping Statute.

\*See footnote on page 32.

On May 18, 1953, the defendants, all of whom waived jury trial, were tried in Federal District Court at Wilmington, North Carolina, and entered pleas of either guilty or nolo contendere. After presentation of the evidence, the Federal District Judge read a verdict of guilty against each, and imposed the following sentences: [redacted] twelve months on two counts to run concurrently with present Federal sentence; [redacted]

[redacted] three years on two counts to run concurrently; [redacted]

[redacted] one year on two counts to run concurrently;

[redacted] six months on two counts to run concurrently with present Federal sentence; [redacted] six months on two counts to run concurrently with present Federal sentence, plus two years' probation; [redacted] four months on two counts to run concurrently with present Federal sentence; [redacted]

[redacted]  
twelve months on two counts, suspended, two years' probation; and [redacted]  
[redacted] two years on two counts, suspended, two years' probation.

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On June 23, 1953, the United States District Judge for the Eastern District of North Carolina amended the judgments against [redacted]

[redacted] to reduce the sentence of each to six months on two counts to run concurrently. At the same time, the sentences of [redacted] [redacted] were reduced to eighteen months each on two counts to run concurrently.

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The other case concerned the abduction and flogging of two residents of Dillon County, South Carolina. In October 1951, the Mullins (South Carolina) Klavern of the Ku Klux Klan held a chicken and rice supper which was attended by members of several nearby Klaverns, including the Dillon, Fair Bluff and Marion Klaverns. Allegations were made that [redacted]

[redacted] and her brother, [redacted] were both guilty of immoral activities and the matter of flogging them was discussed. Subsequently, the floggings were discussed at several regular meetings of the Mullins and the Dillon Klaverns, the arrangements being left to the Dillon group, since the victims lived in that territory.

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On the night of November 16, 1951, [redacted]

[redacted] of the Dillon Klavern, gave directions for the assembling

of members, after which, according to preconceived plans, some of the Klansmen drove to the respective residences of [redacted]

[redacted] Clad in white robes and hoods, they broke into the houses of the victims, blindfolded them, and took them across the state line to the flogging site located in Robeson County, North Carolina. [redacted]

[redacted] was stretched across the trunk of a car and was struck approximately seven blows. [redacted] was given about twenty lashes. After the floggings, both victims were returned to the vicinity of their homes.

As a result of the FBI's investigation of this incident, complaints were filed against the participating Klansmen before the United States Commissioner at Wilmington, North Carolina, and all were arrested by Bureau Agents on November 16, 1953. The evidence was presented to a Special Federal Grand Jury convened at Wilmington on the same day, and thirteen subjects were indicted on two counts charging violation of the Federal Kidnapping Statute\* and of the General Conspiracy Statute to violate the Kidnapping Statute.

The trial was originally scheduled for May 18, 1954, but one of the defense attorneys petitioned for a continuance, which was granted by the United States District Court Judge. Prior to the new date set for the trial, one of the subjects died of natural causes. The trial of the other twelve

\*See footnote on page 32.

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defendants began on December 1, 1954, in the Federal District Court, Wilmington, North Carolina. All defendants waived jury trial, and four entered guilty pleas, seven, not guilty, and one, nolo contendere. The last plea was not accepted and was changed to not guilty. After presentation of the evidence, three defendants were found not guilty, and the other nine were sentenced as follows:

[redacted] eighteen months on two counts, suspended, \$500 fine and two years' probation;

[redacted] eighteen months on two counts, suspended, \$300 fine and two years' probation; and [redacted]

[redacted] eighteen months on two counts, suspended, two years' probation.

A total of thirty-eight Klan members were convicted as a result of the three cases summarized, and there was widespread publicity commending the FBI for suppressing Ku Klux Klan violence in North and South Carolina.

### 3. Citizens Protective League

Organized in 1936 in New York City, the Citizens Protective League was a group which fostered ideals of Nazism by distributing pro-German and anti-Semitic literature prior to World War II. Its aims were: (1) to further the cause of German fascism, (2) to promote the aims and

objectives and advocate the principles of fascism in the United States,  
(3) to engage in an active pro-German and anti-Semitic propaganda campaign,  
(4) to advocate the formation of a fascist party in the United States, and  
(5) to deny to the Jewish people their rights under the Constitution.

Meetings were held in New York City, with Kurt Mertig as chairman. Since 1942, the group has not been active except for occasional literature distributed by Mertig under the name of the Citizens Protective League.

#### 4. Columbians

According to public statements by this organization's president, Emory Burke, and its secretary and organizer, Homer L. Loomis, Jr., the Columbians was organized in 1946, with headquarters in Atlanta, Georgia, for the avowed purpose of opposing Communism and segregating whites from Negroes. These two men have indicated in their speeches that they hoped eventually to form a political party to lead the people to victory over the Jews, Negroes and Communists.

The Columbians' creed states clearly their advocacy of white supremacy, and its wording is typical of the intolerance of this kind of organization.

"I believe America today is a battlefield upon which two forces are contending for mastery; those two forces are the authentic American spirit and the anti-American, anti-western spirit of invasion and materialism.

"I believe the question which most clearly marks the line of battle between these two opposing, world shaking forces, is the subject of race.

"I believe the idea of Race Purity is born of the authentic American spirit, and those who champion this holy idea count among their fellow fighters the spirit of our great dead.

"I believe the idea of Racial Amalgamation is spawned by that anti-American, anti-western, alien spirit and that those who carry the banner of this idea are in mortal conflict with the whole depths of the American soul.

"I believe the time has come for every man to step forward and enlist to fight in the struggle either on the side of the American Spirit or on the side of the alien Asiatic spirit.

"I take my stand to fight in the ranks of those who believe in the holy American ideals of RACE, NATION and FAITH."

As a means of persuading Negroes to stay out of certain neighborhoods in Atlanta, members of the Columbians patrolled the streets and posted signs which read, "Zoned as a White Community." As a result of such activities, both the city of Atlanta and Fulton County brought criminal proceedings against individual members on charges of attempting to incite riots and usurping police powers.

In March 1947, Homer L. Loomis, Jr. was sentenced in a Georgia state court to thirty months' imprisonment on a charge of usurping police powers, the sentence to begin at the conclusion of a previous one-year sentence imposed on a charge of attempting to incite to riot. Burke was sentenced to twelve months' imprisonment on each of three counts of impersonating an officer.

In 1948 it was reported that this organization was no longer active.

##### 5. Knights of the White Camellia

This group was originally founded in 1867 following the Civil War, and had for its purpose the re-establishment of white supremacy. The members disbanded, temporarily, after this objective became a fact throughout the South. Since 1935, the Knights of the White Camellia has been reorganized with declared aims of anti-Semitism and anti-Communism. Its leader, George E. Deatherage, has claimed that the existing political parties have failed the people and that a realignment of the nation's political forces is necessary. One of the principal activities of the organization has been the distribution of numerous publications to spread its doctrines.

## 6. National Blue Star Mothers of America

Founded in the early 1940's by a group of mothers who had sons serving in the armed forces of the United States, this group adopted policies which were violently anti-Semitic and anti-British. They blamed Great Britain and the United States for starting World War II, and distributed numerous leaflets and pamphlets protesting the war and its continuance. The group originated in Pennsylvania, and its chief organizer was [redacted]

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In recent years, the National Blue Star Mothers of America has attacked a wide variety of subjects and organizations, including the Community Chest, Universal Military Training and the United Nations. Its principal activities have consisted of (1) disseminating pamphlets and flyers, (2) picketing the headquarters of organizations opposed to its policies, and (3) holding meetings featuring isolationist, anti-Communist and anti-Semitic speakers.

This organization is not to be confused with the Blue Star Mothers of America, a group also composed of mothers with sons in the armed forces, which was founded in February 1942.

## 7. Silver Shirt Legion of America

The Silver Shirt Legion of America, under the guidance of its leader, William Dudley Pelley, had its headquarters in Asheville, North Carolina. The principal publication of the organization, a weekly magazine called Liberation, concentrated on attacking the New Deal and Jewish domination of the United States Government. The membership, restricted to native-born or naturalized Americans without Jewish blood, has been a matter of speculation, as Pelley made exaggerated claims and did not distinguish between actual members and people interested only in the organization's literature. Based solely on the claims of local leaders, there were approximately 12,358 members in 1939.

The aims of the Silver Shirt Legion of America, as stated in its literature, have been: (1) discarding of the New Deal, (2) repeal of the Wagner Act, the National Labor Relations Board and the Social Security Act, (3) prosecution of officials responsible for the disbursement of funds to extend the progress of Jewish Communism, (4) institution of a nine-year program for the resuscitation of American business on a federal credit-financing basis, (5) restrictions on the right to strike when it would jeopardize the public, (6) restriction of Jewish ownership of property, (7) laws to make the Negro people wards of the United States, and (8) other related aims.

Pelley created field units of three types. The smallest units, called Councils of Safety, were composed of three or more persons in any given locality. City or County Posts consisted of at least twenty-five members organized to carry out work assigned by the national organization in their respective localities. Large groups of members, if mobilized for special purposes such as demonstrations, were to be called Vigilante Encampments.

On August 12, 1942, William Dudley Pelley was sentenced by the United States District Court at Indianapolis, Indiana, to imprisonment for fifteen years, after being found guilty on eleven counts of criminal sedition and conspiracy. Investigation by the FBI developed the evidence which resulted in Pelley's conviction.

## V. SUMMARY OF FBI CONTRIBUTIONS IN CIVIL RIGHTS FIELD

### A. Statistics

Through April 1955, the FBI has collected evidence in approximately eight thousand nine hundred cases of possible or actual violations of the Federal civil rights laws. Of these, the largest portion has involved law enforcement officers as the alleged violators. In a survey for the fiscal year 1954, the FBI handled fourteen hundred fifty-eight civil rights cases, twelve hundred seventy-three of which involved law enforcement officers. Only a preliminary investigation was necessary in nine hundred sixty-two of the twelve hundred seventy-three cases, as there was no evidence of a violation under the Federal laws. Two hundred fifteen cases were closed after a full investigation, upon advice of the Department of Justice. Thirty-seven cases involving law enforcement officers were presented to Federal Grand Juries, and the indictments which were returned in twenty-three of these cases resulted in five convictions.

### B. Police Training and Services

As shown previously, many cases require the FBI to conduct investigations of fellow law enforcement officers. As a result of the educational programs afforded local police officers and officials, and the

widespread publicity given to civil rights cases in recent years, many police departments are now taking disciplinary action against their own personnel when violations occur.

The FBI National Academy is a potent force in the protection of civil rights, as it strives to raise the standards of law enforcement throughout the nation. National Academy instructors emphasize such topics as ethics in law enforcement and the civil rights of individual citizens. In addition, the FBI participates in hundreds of local and state police training schools each year.<sup>5</sup>

New scientific techniques developed in the field of crime detection contribute to raising the standards of law enforcement. The Director has said: "In matters of scientific crime detection, the services of our FBI Laboratory are available to every duly constituted law enforcement officer in the nation. Full use of these and other facilities should make it entirely unnecessary for any officer to feel the need to use dishonorable methods."<sup>6</sup>

### C. Facts Regarding Lynchings

It is interesting to note the apparent relation of the achievements of the FBI in the civil rights field to the decided decline in lynchings in the

United States. In February 1955, Mr. Hoover stated that during the past ten years there had been a total of sixteen lynchings, compared to sixty-five in the preceding ten-year period, and that for the third successive year, no lynchings have occurred throughout the entire country.<sup>7</sup> It is apparent that the progress made must be due in part to the efforts of the FBI in both the investigative and educational fields. It has been pointed out by various prominent persons and organizations that the very fact that the public knows the FBI will conduct a swift and thorough investigation may act as a deterrent to a potential violator. One example is a statement by Walter White, former Executive Secretary of the National Association for the Advancement of Colored People. In commending the FBI after the Florida Bombing incidents,\* Mr. White wrote: "We believe the work of the FBI and the Department of Justice will serve as a salutary deterrent to other law breakers who may be tempted to express their prejudices and ignorance through mob action."

\*A series of bombings and attempted bombings of Jewish properties, a Catholic Church, and a housing project; and the dynamite murders of Harry T. Moore (then Florida state official of the NAACP) and his wife; which took place between September and December 1951. FBI investigation resulted in twelve indictments for perjury and false statements by a Federal Grand Jury.

#### D. Difficulties Encountered

The attitude of the local community in which a violation occurs is of the greatest importance in enforcing the laws. Whereas in most criminal cases, such as robbery or kidnaping, everyone except the subject is on the side of law enforcement and gives wholehearted cooperation, this is not always so in civil rights violations. Often, in these cases, the victims are either members of unpopular minority groups or are in police custody for some violation of the law, and are not persons who would evoke sympathy from juries made up of local citizens. Many times victims and potential witnesses withhold information through fear of reprisals by local police officers.<sup>8</sup> A striking example of local prejudices can be found in the case of a lynching in Minden, Louisiana, in 1946, when two Negroes were released from the local jail into the hands of a mob which beat them so severely that one died. The local jury acquitted all the defendants, although Mr. Hoover called it: "the best case we have ever made out; we had clear-cut, uncontroverted evidence of the conspiracy."<sup>9</sup>

**E. Commendations**

**1. By Organizations**

Over a period of years, the FBI has received numerous compliments from organizations for its efforts and achievements in the civil rights field. Many of these have come after an FBI investigation of an alleged violation which involved a member of a minority or racial group. Such organizations as the National Association for the Advancement of Colored People have commended the FBI for its aggressive and effective investigation in particularly difficult and delicate cases involving civil rights.

**2. By Police Officials**

In some cases involving law enforcement officers, the FBI has received letters from police officials stating their approval of the investigation of any allegation of unlawful action on the part of an officer of their departments. Many times an FBI investigation has proved the charges to be without foundation, and thereby cleared the name of the officer. In connection with the Minden, Louisiana, lynching case, previously mentioned, the chief of police, himself under indictment by the Federal Grand Jury, wrote a letter commending the FBI for its handling of the investigation.

### 3. By the Press

In recent years, a number of the civil rights investigations made by the FBI have been given favorable notice in the press. Following the case of the Taylorsville, Mississippi, city marshal's brutality to a Negro prisoner, a statement in the Memphis newspaper, The Commercial Appeal, indicated approval of the investigation of such incidents.\*

The Lancaster, Pennsylvania, Intelligencer Journal of September 16, 1953, summed up the subject of civil rights and the FBI in these words:

"The Federal Bureau of Investigation, under the direction of J. Edgar Hoover, has become a great instrument for law and order. In its field--the nation--it commands great respect for impartial and efficient enforcement of the federal statutes.

"But it does more than that. Through its facilities, and its performance, it sets a pattern for law enforcement at every level of government. That this pattern has improved local law enforcement, no one who knows the facts will deny."

\*Quoted on page 12.

## SOURCES

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3. J. Edgar Hoover, Letter "To All Law Enforcement Officials," FBI Law Enforcement Bulletin, Vol. 21, No. 9, September 1952, p. 1.
4. Manual of Instructions, Vol. 3, Sec. 87D (6).
5. J. Edgar Hoover, "Civil Liberties and Law Enforcement: The Role of the FBI," Iowa Law Review, Vol. 37, No. 2, Winter 1952, p. 180.
6. J. Edgar Hoover, Letter "To All Law Enforcement Officials," FBI Law Enforcement Bulletin, Vol. 21, No. 9, September 1952, p. 1.
7. 1956 Appropriation, Testimony of John Edgar Hoover, Director, FBI, Before the House Subcommittee on Appropriations on February 24, 1955, p. 60.
8. The Report of the President's Committee on Civil Rights, To Secure These Rights (Washington, D. C., United States Government Printing Office, 1947), pp. 123-126.
9. Ibid., p. 124.